

RECEIVED
IN MONROE, LA

MAY 14 2009

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

MELINDA LOFTON

* CIVIL ACTION NO. 08-1224

VERSUS

* JUDGE JAMES

PFIZER, INC.

* MAGISTRATE JUDGE HAYES

J U D G M E N T

The Report and Recommendation of the Magistrate Judge having been considered, no objections thereto having been filed, and finding that same is supported by the law and the record in this matter,

IT IS ORDERED, ADJUDGED, AND DECREED that the Motion to Dismiss pursuant to Fed.R.Civ.P. 12(b)(6) [Doc. # 6] filed by Defendant, Pfizer, Inc. is **GRANTED IN PART**, and that judgment is hereby entered in favor of Pfizer, Inc. **DISMISSING WITH PREJUDICE** Plaintiff's punitive damages claims and all other claims not arising under the Louisiana Products Liability Act or in redhibition. Pfizer's Motion to Dismiss and Alternative Motion to Stay [Doc. # 6] is otherwise **DENIED**.

MONROE, LOUISIANA, this 14 day of May, 2009.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE